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ADVERTISING, INC.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

GEE JEFFERY & PARTNERS  
ADVERTISING, INC.,

Plaintiff,

v.

BEST BUY ENTERPRISE SERVICES,  
INC., et al.,

Defendants.

IDENTITY ARTS, a California Limited  
Liability Company

Plaintiff,

v.

BEST BUY CO., INC., et al.,

Defendants.

CASE NO.: C 06-01631 PJH

Consolidated for discovery with

CASE NO.: C 05-04656 PJH

**STIPULATION AND ~~PROPOSED~~  
ORDER AMENDING CASE  
MANAGEMENT AND PRETRIAL ORDER  
DATED JUNE 16, 2006**

It is HEREBY STIPULATED by and between the parties hereto through their respective  
counsel that certain of the dates pertaining to discovery and motion practice set forth in the

Case Management and Pretrial Order herein, dated June 16, 2006, are amended as follows:

Last day to serve written discovery: April 30, 2007

Non-Expert Discovery Cutoff: May 30, 2007

Identification of Experts: May 30, 2007

Last day to serve Opening  
Expert Reports: June 29, 2007

Last day to serve Rebuttal  
Expert Reports: July 30, 2007

Expert Discovery Cutoff: Sept. 7, 2007

Last Day to File and Serve  
Dispositive Motions: Oct. 3, 2007

The reason for the above amendments is that the parties believe that additional time will be required to complete fact discovery and, further, that it is not in the parties' interests to begin the costly and time-consuming process of depositions, which are likely to involve dozens of witnesses in several States and in Canada, prior to receipt of the Court's decision on defendants' pending motions for judgment on the pleadings. The proposed amendments will not result in a change to the trial date(s).

The parties further request that the Court vacate the settlement conference date presently scheduled with Magistrate Spero for January 11, 2007. Counsel has contacted Magistrate Spero's Chambers and has been advised to write to the Magistrate's Chambers to request a new date and, thereafter, to coordinate directly with Magistrate's Chambers on scheduling the settlement conference. The reason for this additional request is that the parties believe that the settlement conference will be more productive once it is clear which parties and which claims will proceed in the above actions.

1 DATED: \_\_\_\_\_, 2006

Respectfully submitted,

2 **DERGOSITS & NOAH LLP**

3 By: \_\_\_\_\_/s/  
4 Michael Dergosits

5 **SMITH DORNAN & DEHN, PC**

6 By: \_\_\_\_\_/s/  
7 David Atlas  
8 Attorneys for Plaintiff Gee Jeffery & Partners  
Advertising, Inc. (in Best Buy II)

9 **BRADSHAW & ASSOCIATES**

10 By: \_\_\_\_\_/s/  
11 Scott A. Freedman  
12 Attorneys for Plaintiff, Identity Arts, LLC (in Best  
Buy I)

13 **ROBINS, KAPLAN, MILLER & CIRESI L.L.P.**

14 By: \_\_\_\_\_/s/  
15 Robert F. Hinton  
16 Attorneys for Defendants Best Buy Enterprise  
17 Services, Inc. and Best Buy Co., Inc. (in Best Buy  
I)  
18 Attorneys for Defendant AMC Entertainment Inc.  
(in Best Buy II).

19 **DAVIS WRIGHT TREMAINE LLP**

20 By: \_\_\_\_\_/s/  
21 Thomas R. Burke  
22 Attorneys for Defendants Identity Arts, LLC, David  
Bobrow and David Janssen (in Best Buy II)

23 **HOLME ROBERTS & OWEN LLP**

24 By: \_\_\_\_\_/s/  
25 Roger R. Myers

26 Attorneys for Defendants Best Buy Enterprise  
27 Services, Inc., Best Buy Co., Inc. and Sprint  
28 Corporation (in Best Buy II)

1 IT IS SO ORDERED.

2 DATED: 12/22/06

